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**FOR IMMEDIATE RELEASE**  
**March 22, 2013**

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## **PRESS RELEASE**

### **GRAND JURY RETURNS DECISION IN ROBERT ETHAN SAYLOR INVESTIGATION**

Charlie Smith, State's Attorney for Frederick County, Maryland addressed the press regarding the Grand Jury's decision in the matter of Robert Ethan Saylor. Mr. Smith stated "I want to again convey my sympathies and prayers to the family of Robert Ethan Saylor for their tragic and untimely loss occurring in January of this year. I have been in touch with them during the course of our Office's involvement, and in fact have apprised them of the Grand Jury's determination in this matter prior to this press release.

To avoid the appearance of impropriety, a decision was made to use the investigative function of the Grand Jury to review the facts and circumstances surrounding the death of Robert Saylor, and any potential criminality of the police officers involved.

The death of Robert Saylor occurred on January 12, 2013 inside Theater 9 Westview Cinemas in Frederick Maryland. The entire event happened in just a few minutes time. All 17 eyewitnesses wrote out statements concerning what they saw and heard, including his 18 year old caretaker. Mr. Saylor was asked to leave the theater and was verbally and physically resistant to the Deputies.

None of the deputies hit or kicked Mr. Saylor or used any force to the neck or head of Mr. Saylor. The only police equipment utilized by the Deputies was handcuffs.

Robert Saylor was on his stomach for a total of one to two minutes. When those around him noticed he was having a medical emergency, they immediately took off the handcuffs, and called for EMS and began CPR.

The Deputies employed police procedures pursuant to their training with the Frederick County Sheriff's Office.

The opinion of the Office of the Chief Medical Examiner was that a 25 year old Caucasian male, ROBERT ETHAN SAYLOR, died of ASPHYXIA. Down's Syndrome, Obesity, Atherosclerotic Cardiovascular Disease, and Accessory Conduction Pathways of Heart, are also significant conditions....This individual was already compromised by his Down's Syndrome, obesity, body habitus, and heart disease, making him more susceptible to sudden death in stressful conditions which would compromise his breathing. Using the medical definition of homicide (but for the actions of other individuals Mr. Saylor would not have died), the manner of death is best certified as HOMICIDE.

In Maryland, the Grand Jury serves as a protector of the public, and therefore may be asked to examine situations, such as police involved fatalities. It is common practice both here and in other Counties around the Country to utilize the Grand Jury as an independent body to assess the criminality of conduct. They do not decide civil liability or breaches of professional conduct, unless relevant to criminality.

Grand Jury is a secretive body and comment cannot be made on testimony occurring inside the courtroom. Nevertheless, it is the policy of the Frederick County State's Attorneys Office to communicate the complete file to the Grand Jury, while explaining to them the current law on criminal homicide. This forum is not one for advocacy, but strictly for investigative purposes. Again, comment cannot be made on witness testimony but we can confirm that the Lead Investigator at the Frederick County Sheriff's Office, the Deputy Medical Examiner, a police training expert, and all 3 involved Deputies were subpoenaed and did testify.

The Grand Jury has the option to continue the investigation and reconvene, or conclude their investigation with or without the formal presentment of criminal charges. The Grand Jury's decision was to conclude their investigation without criminal charges. Therefore, our Office's involvement, and that of the Grand Jury, is concluded.

J. Charles Smith III  
State's Attorney for  
Frederick County, Maryland